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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/868,654	07/02/2001	Kiminori Tamai	P10742400031	5763
23353	7590	01/06/2004	EXAMINER	
RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036			BISSETT, MELANIE D	
			ART UNIT	PAPER NUMBER
			1711	

DATE MAILED: 01/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/868,654

Applicant(s)

TAMAI ET AL.

Examiner

Melanie D. Bissett

Art Unit

1711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 6 and 7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6 and 7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

1. The rejections based on 35 USC 102 and 103 have been withdrawn based on the applicant's amendments. However, new rejections have been included in the present action.

2. The request filed on 9/12/03 for Continued Examination under 37 CFR 1.114 based on parent Application No. 09/868,654 is acceptable and an RCE has been established. An action on the RCE follows.

***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto Forming in view of Crouch et al.

5. Hashimoto Forming discloses transparent plates formed by clamping two transparent films, each having a hardcoat layer thereon, to the outsides of a mold such that the coating layer faces the mold plates (abstracts). The cavity formed between the two films is then filled by injection molding with a molten synthetic resin. The formed product has a plate shape, and the base film has a thickness of .05-1.0 mm (50-1000  $\mu$ m).

6. However, the reference does not seem to specify the applicant's claimed hard coating having a specified crack resistance. It has been the examiner's position that Crouch's teaching suggests the applicant's claimed hardcoat layers. See the Office action dated 9/5/02. Crouch teaches that the hardcoated polycarbonate sheets of the

invention may be laminated onto polycarbonate substrates (abstract), where the hardcoated sheets have improved abrasion and chemical resistance, and where the hardcoated sheets have improved masking of surface defects (abstract; col. 13, lines 36-39). Therefore, it is the examiner's position that it would have been prima facie obvious to use the hardcoated polycarbonate sheets of Crouch's invention in Hashimoto Forming's transparent plates to form a product with improved abrasion and chemical resistance and with improved surface appearance.

7. Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto Forming in view of Tsuchiya et al.

8. Hashimoto Forming discloses transparent plates formed by clamping two transparent films, each having a hardcoat layer thereon, to the outsides of a mold such that the coating layer faces the mold plates (abstracts). The cavity formed between the two films is then filled by injection molding with a molten synthetic resin. The formed product has a plate shape, and the base film has a thickness of .05-1.0 mm (50-1000  $\mu$ m).

9. However, the reference does not seem to specify the applicant's claimed hard coating having a specified crack resistance. It has been the examiner's position that Tsuchiya's teaching suggests the applicant's claimed hardcoat layers. See the Office action dated 9/5/02. Tsuchiya teaches that the hardcoated polycarbonate sheets of the invention have improved cracking and peeling resistance (abstract). Therefore, it is the examiner's position that it would have been prima facie obvious to use the hardcoated

polycarbonate sheets of Tsuchiya's invention in Hashimoto Forming's transparent plates to form a product with improved cracking and peeling resistance.

**Response to Arguments**

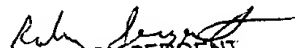
10. Applicant's arguments with respect to claims 6-7 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melanie D. Bissett whose telephone number is (571) 272-1068. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on (571) 272-1078. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

mdb

  
RABON SERGENT  
PRIMARY EXAMINER